PTO/SB/08a (05-07)
Approved for use through 08/30/2007 OAR 0851-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
and to a collection of information unless it contains a valid OMB control number. Application Number 10555113

	Application Humber		10000110		
	Filing Date		2005-10-31		
	First Named Inventor TAKE		KEDA		
STATEMENT BY APPLICANT Not for submission under 37 CFR 1.99)	Art Unit		1645		
Not for submission under 57 of K 1.337	Examiner Name				
	Attorney Docket Number	or.	5426 IS 2		

					U.S.	PATENTS			Remove		
Examiner Initial*	Examiner Cite No Patent Number Kind Code! Issue Date Name of Patentee or Application of cited Document.			Pages,Columns,Lines who Relevant Passages or Rel Figures Appear							
	1										
If you wis	h to a	dd additional U.S. Pater	nt citatio	n inform	ation pl	l lease click the	Add button.		Add		
			U.S.P	ATENT	APPLI	CATION PUB	LICATIONS		Remove		
Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publica Date	tion	of cited Document Relevan			Columns,Lines where ant Passages or Relevan s Appear		
	1										
If you wisl	h to a	dd additional U.S. Publi						d button	=		
	_			FOREIG	SN PAT	ENT DOCUM	ENTS		Remove		_
Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup>		Kind Code <sup>4</sup>	Publication Date	Applicant of cited P		vhere Rel	or Relevant	т.
	1										С
If you wis	h to a	dd additional Foreign Pa	atent Do	cument	citation	information pl	lease click the Add	button	Add		_
			NON	I-PATE	NT LITE	RATURE DO	CUMENTS		Remove		
Examiner Initials*	Cite No	Include name of the ar (book, magazine, journ publisher, city and/or of	nal, seria	al, symp	osium,	catalog, etc), o					Τs

#### 

	1	Japanese Office Action dated 1/9/2007 relating to Japanese Patent Application No. 2005-505945 (corresponding to PCTI/IP2004/006284) (translation attached)	
	2	Supervised by Takujii SASAVQ et al., Separate Volume of Cell Technology, Plant Cell Technology Series 14, Genomic Research Protocol of Plant, Shujumsha Co., Lld, February 5, 2001, pp. 112-114 (translation attached)	
If you wis	h to a	d additional non-patent literature document citation information please click the Add button Add	1

EXAMINER SIGNATURE

Examiner Signature

Date Considered

TEXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through a citation if not in conformance and not considered, include copy of this form with next communication to applicant.

1 See Kind Codes of USPTD Patent Documents at were <u>USPTD\_GDV</u> or MPEP 991.64. If Enter office that issued the document, by the two-initiar code (WIPD Standard ST.5). First <u>Unprises paints</u> documents, the additional of the year of the rings of the Empere must preced the serial number of the patent document. The patent document is patent document. The patent that the patent document is patent document. The patent document is patent document. The patent is patent to the patent document is patent to the patent document. Applicated to the patent document.

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)

Application Number			10555113				
Filing Date			2005-10-31				
First Named Inventor TAKE		TAKE	EDA				
Art Unit			1645				
Examiner Name							
Attorney Docket Number			5426.IS-3				

#### CERTIFICATION STATEMENT

Please see	37	CFR :	1 97	and	1 98 1	n make	the	appropriate	selection(s):	

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. Sea 37 CFF 1.57(e)(1).

# OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquity, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 156(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 157(4)(c).

- See attached certification statement.
- Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

### SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Joseph E. Kovarik/	Date (YYYY-MM-DD)	2007-06-22
Name/Print	Joseph F Kovarik	Registration Number	33005

This collection of information is required by 3T CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is for lie fand by the USPTO to process) an application. Confidentiality is governed by \$5 U.S. C. 12.0 and 3T CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application from the USPTO. Time will vary depending upon the individual case: Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. operatment of Commence, P.O. 8bx 1449, Alexandriv, V.S. 2311-1450, D.O. NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. 8bx 1459, Alexandria, V.S. 2311-1450.

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the stacked form related to a petient application or patient. Accordingly, pursuant to the requirements of the Act, please be advised that (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) familishing of the information solicided is civulating; and (3) the principal purpuse for which the information is used by the U.S. Patient and Trademan Coffice is to process and/or cosmisting your submission related to a patient agricultant or patient. If you do not furnish the requested process and/or cosmisting your submission related to a patient agricultant or patient. If you do not furnish the requested process and the process of the process and the process of the pro

The information provided by you in this form will be subject to the following routine uses:

- The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
  - A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
  - A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record perfains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
  - A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552(m).
  - A record related to an International Application filed under the Patent Cooperation Treaty in this system of records
    may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant
    to the Patent Cooperation Treaty.
  - A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
  - 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or hisher designed, uturing an insection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 4d U.S.C. 2904 and 2905. Such disclosure shall be made in accordance with the GSA requisions governing inseption of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- A record from this system of records may be disclosed, as a routine use, to the public after either publication of the
  application pursuant to 35 U.S.C. 12(2) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be
  disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filled in application
  which became abandoned or in which the proceedings were terminated and which application is referenced by either a
  published application, an application open to public inspections or as issued patent.
  - A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.